

Larry E. Craig, Chairman  
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# Legislative Notice

Editor, Judy Gorman Prinkey

No. 57

May 11, 2000

## **S. 2521 – Military Construction Appropriation Bill, FY 2001**

Calendar No. 529

Placed on the Calendar on May 9, 2000. An original bill. No written report.

### **NOTEWORTHY**

- By unanimous consent, the Senate will consider S. 2521, the Military Construction Appropriation bill for the fiscal year ending September 30, 2001, beginning today, Thursday, May 11, 2000, following adoption of the Africa trade conference report, with no votes until Tuesday, May 16 at 2:15 p.m.
- The bill provides a total of \$8.63 billion in new spending authority for military construction for FY 2001. This amount is \$292.1 million more than what was appropriated last year and \$600 million more than the President's requested level. The total conforms with the budget authority and outlay limits established in the 302(b) allocation.
- S. 2521 also includes Department of Defense (DOD)-related emergency supplemental funding for FY 2000, funded at \$4.647 billion. Of that: approximately \$573 million is for DoD-related counternarcotics efforts; \$4.128 billion is for Kosovo and other national security assistance; and \$151.193 million is for military installations hit by storm damage and other natural disasters.
- During full Committee markup, the Committee approved, on a bipartisan vote of 23-3, an amendment sponsored by Senators Byrd and Warner requiring the withdrawal of U.S. ground troops in Kosovo by July 1, 2001, unless continued deployment is authorized by Congress. This language is contained in the General Provisions section of the bill.

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## BACKGROUND

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The military construction appropriation bill provides funding for the planning, design, construction, alteration and improvement of military facilities worldwide, both for the active and reserve forces. It finances construction, alteration, improvement, operation and maintenance of military family housing, including payments against past housing mortgage indebtedness. This bill also serves as the source for the U.S. share of the NATO Security Investment Program, and provides funding to implement base closure and realignments authorized by law.

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## BILL PROVISIONS

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### **Military Construction**

The bill provides a total of \$3.81 billion for military construction, with \$3.2 billion on active components and \$580.7 million for the reserve components, as follows:

#### *Active Components*

Army	\$823.5 million
Navy	\$828.3 million
Air Force	\$777.8 million
Defense-Wide	\$801.1 million

(NOTE: The Army appropriation reflects the realignment of the Chemical Demilitarization Program responsibility from the Army to the Defense-Wide account, with an appropriation of \$175.4 million).

#### *Reserve Components*

Army National Guard	\$233.7 million
Air National Guard	\$183.0 million
Army Reserve	\$ 99.9 million

Naval Reserve                      \$ 38.5 million

Air Force Reserve                \$ 25.5 million

## **North Atlantic Treaty Organization (NATO) Security Investment Program**

The Committee provides \$175.0 million for the North Atlantic Treaty Organization (NATO) Security Investment Program for the U.S. share of NATO construction costs.

## **Family Housing**

The Committee provides \$3.5 billion to improve existing family housing and to build new family housing units within the Department of Defense. This is \$66.3 million over the budget request and a decrease of \$64.0 million from the FY 2000 appropriated amount.

## **Base Realignment and Closure**

For Fiscal Years 1990 through 2000, Congress has appropriated a net total of \$20.4 billion for the Base Realignment and Closure (BRAC) program. In this bill, the Committee recommends total funding of \$1.17 billion for costs associated with base realignment and closure actions from the last round of BRAC.

## **Environmental Compliance Projects**

The bill funds 14 environmental compliance projects for a total of \$101.3 million.

## **Barracks Construction**

The Committee provides \$712.2 million for 43 barracks projects to provide single service members better and more modern barracks and dormitories, which is \$44.2 million over the budget request.

## **Medical Construction**

Thirteen medical facility projects are approved, for a total of \$138 million, a reduction of \$39.9 million from the budget request.

## **DoD-Related Emergency Supplemental Appropriations Funding**

Included in S. 2521 is the Department of Defense-related portions of the emergency supplemental appropriation bill for FY 2000, which includes funding for: counternarcotics; peacekeeping operations in Kosovo and other contingency operations; and Department of Energy weapons activities.

## **Title I: Counternarcotics, FY 2000**

### ***Military Procurement***

The bill provides for an additional \$30 million for Army aircraft procurement so long as the entire amount is designated by Congress as an emergency.

### ***Drug Interdiction and Counter-Drug Activities***

An additional \$85.7 million is to remain available for defense-related drug interdiction and counter-drug activities, again, so long as the amount is designated by Congress as an emergency.

In addition to the \$573 million in total funds appropriated under this Title, the bill provides authority of no more than \$45.0 million for support for counter-drug activities of the Colombian Government, with certain conditions on the use of funds [General Provisions, Section 101].

An additional \$116.5 million is provided in the bill for military construction in the defense-wide account, so long as such amount is designated by Congress as an emergency.

The bill provides for an additional amount of \$262.4 million for Coast Guard operating expenses. An additional \$74.9 million is to be available for acquisition, construction, renovation and improvement of facilities and equipment for Coast Guard drug interdiction activities and \$3.7 million is provided for Reserve training.

## **Title II: Peacekeeping Operations in Kosovo and Other National Security Matters, FY 2000**

### ***Operation and Maintenance***

The bill provides the following additional amounts for Operations and Maintenance: \$23.9 million for the Army; \$20.6 million for the Navy; \$37.2 for the Marine Corps; and \$38.1 million for the Air Force.

Included in S. 2521 is \$40 million to provide assistance to Vieques, Puerto Rico.

The bill also provides the following additional amounts for Operations and Maintenance for the following reserve components: Army Reserve: \$2.2 million; Army National Guard: \$2.9 million.

### ***Overseas Contingency Operations***

The Overseas Contingency Operations Transfer Fund is appropriated at \$1.850 billion.

### ***Procurement***

The Air Force's aircraft procurement account is provided an additional \$73 million.

### ***General Provisions***

Under this chapter's General Provisions section, \$61.5 million is provided for the cost of peacekeeping and humanitarian assistance operations in East Timor and Mozambique.

### **Department of Energy, FY 2000**

An additional amount of \$136 million is provided for Department of Energy (DOE) weapons activities.

### **Military Construction, FY 2000**

Supplemental funding for military construction is provided at \$22.4 million: \$1 million for the defense-wide account; \$9.1 million for the Army National Guard to cover incremental costs arising from the consequences of Hurricane Georges; and \$12.3 million for the Army Reserve to cover incremental costs arising from the consequences of Hurricane Floyd.

### **General Provisions, FY 2000**

#### ***Pay Date Shift***

The bill includes a General Provision [Sec. 2402] which repeals certain pay date shifts that were included in the FY 2000 Consolidated Appropriations Act.

#### ***Limitation on Availability of Funds for U.S. Ground Combat Troops in Kosovo***

Section 2410 terminates funding for the U.S. presence in Kosovo after July 1, 2001, unless and until the President submits a report to Congress containing a request for specific authorization for continued U.S. ground troop deployment and Congress enacts a joint resolution specifically authorizing such continued deployment.

The limitation of funds, however, does not apply to circumstances under which U.S. troops are necessary to conduct a safe, orderly, and phased withdrawal from Kosovo or to protect U.S. diplomatic facilities in Kosovo.

The provision permits the use of funds for the deployment of U.S. noncombat troops in Kosovo to provide limited support to NATO peacekeeping operations in Kosovo (i.e., intelligence support, air surveillance, and related activities).

The provision further requires the President to develop a plan, in consultation with appropriate foreign governments, by which NATO member countries (with the exception of the U.S.) and other appropriate non-NATO countries will provide all ground combat troops.

necessary to execute peacekeeping operations in Kosovo. The plan is to be provided no later than July 1, 2001. The plan is to establish a schedule or target dates, at three month intervals, for achieving an orderly transition to a non-U.S. force in Kosovo. An interim plan is to be submitted to Congress no later than September 30, 2000, with the final plan to be submitted no later than May 1, 2001.

Finally, no more than 75 percent of the amounts appropriated in this Act for military operations in Kosovo may be obligated until the President certifies in writing to Congress that the European Commission, the member nations of the European Union, and the European member nations of NATO have: obligated or contracted for at least 33 percent of the assistance amount agreed to in 1999 and 2000 for reconstruction in Kosovo; obligated or contracted at least 75 percent of the amount promised for humanitarian assistance; provided at least 75 percent of the amount of assistance promised for the Kosovo Consolidated Budget; and have deployed at least 75 percent of the number of police pledged.

Finally, if the President does not submit to Congress the certification and report before July 15, 2000, then beginning on July 15, 2000, the amount appropriated for military actions in Kosovo that remain unobligated is to be available only for the purpose of conducting a withdrawal of U.S. military personnel from Kosovo.

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### **POSSIBLE AMENDMENTS**

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There were no known amendments at press time.

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### **ADMINISTRATION POSITION**

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The Statement of Administration Policy was unavailable at press time.

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